



District of Columbia Court of Appeals  
500 Indiana Avenue, N. W.  
Washington, D.C. 20001-2131

February 14, 2006

To Members of the DCCA CJA and CCAN Panels:

At the court's fall meeting with CJA Panel members, some attorneys asked that the court reexamine its policy with respect to the earliest time at which they may submit vouchers seeking payment for work done and expenses incurred in handling appeals before this court.

As you know, Code provisions anticipate compensation "at the conclusion of the representation or any segment thereof." See D.C. Code §§11-2604(a) and 16-2326.1(a)(1). Since 2000, the court has permitted the submission of a voucher after the date of the argument or submission of the appeal. Supplemental vouchers have been permitted for compensation requested for post-argument briefing that might be requested by the court or for work spent on Rule 35 or 40 matters.

In response to the request for reexamination of its policy, the Board of Judges has decided to permit a claim for payment of no more than the presumptive maximum compensation to be filed at the time appellant's brief is filed. Attorneys seeking compensation over the presumptive maximum have the option of waiting until the conclusion of representation (or after argument) or filing a (partial) voucher after the filing of the brief. The first or partial voucher must document only time justifying payment up to the presumptive maximum. A second, supplemental voucher may then be filed after the date of the argument or submission of the appeal detailing time expended both prior to and after the filing of the brief that warrants excess compensation.

A second, supplemental voucher must have attached to it a copy of the original voucher and back-up sheet to facilitate review by the presiding/assigned judge, whose recommendation is required on claims seeking payment exceeding the presumptive maximum. A supplemental voucher may be requested by email to Rosanna Mason, Staff Counsel at [rmason@dcca.state.dc.us](mailto:rmason@dcca.state.dc.us).

The change in procedures should not be taken as a loosening of the stringent statutory standards for seeking compensation in excess of the presumptive maximum. Attorneys should not assume that once they receive the maximum after the filing of their briefs, they will have an easier time of getting more by submitting a supplemental voucher showing additional time expended on the appeal.